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MUTINY IN THE ROMAN ARMY. THE REPUBLIC

BY WILLIAM STUART MESSEY

Mr. Clemens Herschel, in his treatise on the water supply of the city of Rome,¹ protests against the repetition in the handbooks of extravagant estimates in regard to the amount of water which the ancient aqueducts carried into the city. He traces this fanciful exaggeration through the writers of a century and discovers its source in the acceptance of the assumptions of a certain Prony,² who wrote in 1817. Mr. J. W. Duff, in *A Literary History of Rome*,³ mentions the complaint of Riese that the alleged opposition of Horace and Vergil to the Alexandrine movement as represented by Catullus has been exaggerated into a phantom idea which has haunted the handbooks on Roman literature. He finds the origin of this legend in L. Müller's biography of Horace (1880). Such phantoms are hard to lay. The belief on the part of the writer that there is current a similar legend in regard to the entire perfection of discipline in the Roman army, both in the widely popular view and in the monographs and special treatises on the military science of the Romans, has suggested this paper.

When the subject of mutiny in the Roman army is mentioned, the classicist may recall the great mutinies, the mutiny among the legions in Pannonia and in Germany, 14 A.D.,⁴ the semi-nationalistic mutiny in Gaul under C. Julius Vindex,⁵ in 68 A.D., the similar action of the Batavian cohorts under Civilis in 69 A.D.,⁶ and the well-known story from Suetonius, which tells how Caesar quelled a mutiny of his favorite legion, the Tenth, by a single word.⁷ But

¹ *Sextus Julius Frontinus* (New York, 1913), pp. 211-12.

² In *Mémoires de l'Académie Royale*, Vol. II. Prony's "if's" were disregarded by his successors, says Herschel.

³ London, 1910, p. 273.

⁴ Tacitus *Ann.* i. 16-30 and i. 31-49, respectively.

⁵ Cass. Dio (ed. Boissévain, Berlin, 1901) lxiii. 22-26.

⁶ Tac. *Hist.* iv. 12-37.

⁷ *Div. Jul.* 70.

the tendency of the classical scholar is to look upon these instances of insubordination as isolated phenomena.

I chanced to be re-reading in the late summer of that year of war, 1914, the *Histories* of Tacitus, and the apparent freedom of the modern army from mutiny—a freedom which, as we now know, was only apparent—contrasted strongly with the orgy of mutiny, sedition, desertion, and insubordination in the Roman armies of the Year of the Four Emperors. Tacitus looked upon this spirit as of recent growth; how unlike the discipline of ancient times, he says:¹ *ut olim virtutis modestiaeque, tunc procacitatis et petulantiae certamen erat!* Heretofore the interest in the political aspects of the story had been paramount, but when the world-war directed the attention of the reader to the military features of the *Histories*, also, the question arose whether the political interpretation afforded a full and complete explanation of the frequent refractoriness of the soldiers.²

Since the summer of 1914, in connection with reading done for another purpose, I have watched this matter of the conduct of the Roman soldier and have made fairly full collections of the passages in which reference is made to mutiny and insubordination from the following writers: Polybius, Caesar, Sallust, Livy, Dionysius of Halicarnassus, Velleius Paterculus, Valerius Maximus, Frontinus' *Strategemata*, Appian, Tacitus, Suetonius, Cassius Dio, and Diodorus Siculus (in part). The evidence of these passages, annalistically arranged, is very striking and may supplement, in one particular, the statements of the monographs on discipline in the Roman army.

These monographs under the caption, Discipline, state briefly the punishments inflicted for insubordination.³ They pay even slighter attention to the crimes for which these punishments were imposed, and the frequent occurrence of mutiny, if not entirely ignored, is not generally recognized. The treatises which contain the most numerous details and have met with the widest acceptance have been revised and have gone through several hands without

¹ *Hist.* iii. 11.

² W. B. Henderson, *Civil War and Rebellion in the Roman Empire A.D., 69-70* (London, 1908), discusses the strategy and geography of these campaigns.

³ Mutiny, contrary to the generalizations of the authorities ancient and modern, usually went unpunished. See below, *passim*.

any correction of the omission to which I refer.¹ Furthermore the standard histories of Rome when recording the insubordination of any particular period, as, for example, of the year 69–70 A.D., look upon this feature of military life as unusual.

The explanation of this omission is probably to be found in a fallacious prepossession, to wit, the widespread legend of the perfection of Rome's military discipline. This legend is very ancient. No theme is dearer to the heart of the eulogist of Rome, be he Greek or Roman, than that of the unwavering obedience which was demanded of the ancient Roman soldier. As these eulogists view the power and achievements of the Roman state, the feats of engineering and sanitation and civilization which followed in the wake of her conquering armies and formed an integral part of their task, they overemphasize the strictness of the discipline which secured these results. They are not aware that insubordination may be only the exaggeration of a good quality, the ability of the private soldier to think and act for himself, and that a considerable amount of mutiny may not be inconsistent with even the highest degree of efficiency. They forget that in the details of the narrative, as they themselves have told it, they have given material and incidents which qualify their generalizations. Polybius, one of the sanest of the admirers of Rome, is guilty of this fault and is one of the earliest sources of the myth.²

In modern times this prepossession can be traced back to Lipsius. His treatise³ on the Roman army, written at the University of Louvain, on a site where, so tradition had it, there was formerly a camp of Caesar's, and dedicated to that most unwarlike prince,

¹ I have had access to the following treatises: J. Marquardt und A. v. Domaszewski, *Das Militärsystem*² (Marquardt, *Römische Staatsverwaltung*, Leipzig, 1884, Vol. II, 319–612); the French translation of the above by J. Brissaud (the translator has not hesitated, under other heads, to add new material containing further suggestions of the original reviser, Domaszewski, and of Cagnat, as well as to make corrections of his own); H. Schiller, *Die Kriegsaltertümer*² (Müller's *Handbuch*, München, 1893, Vol. IV, Part 2, 229–68); E. H. Alton, *The Roman Army*² (Sandys, *Companion to Latin Studies*, Cambridge, 1913, pp. 458–89). The important French manuals, that of Chauvelays and the pertinent volume of Mispoulet, have not been accessible.

² His chapters, 19–42 of Book vi, constitute the basis of all modern works on the Roman army.

³ *De Militia Romana Libri Quinque*, Vesaliae, 1675. It shows its origin in the subtitle, *Commentarius ad Polybium*.

Philip III of Spain, is the first modern discussion of Roman discipline and is even now one of the most important. It is cast in dialogue form and to arouse the enthusiasm and the emulation of his imaginary youthful auditor, Lipsius often interrupts his exposition with encomiums on Roman discipline. In Book v, dialogue 20, p. 402, he says: *Disciplinam Romanam laudem aut suadeam? Illa vero non bona, sed optima est, quot fuerunt, quot erunt: data divinitus in exemplum;* again in Book i, dialogue 1, p. 14: *disciplinam: nihil severius sanctiusque.* In Book v, dialogue 18, p. 375, where he discusses the severity of punishment for disobedience (the basis of all later discussions), he complains of the degeneracy of his times due to a relaxation of the ancient severity: *Quid si hodie? an haec fierent, quae videmus? Sed profecto periit ducum auctoritas, quia severitas. . . .*

Next in order, chronologically, M. le Beau, in *Mémoires de l'Académie Royale des Inscriptions et Belles Lettres*, Paris, 1780, pp. 206–47, in a long article entitled *Discipline de la Légion*, repeats the legend for the early period.

The writers of the most recent treatises come to their task with a bias derived from this false legend and with the further handicap of being laymen from the standpoint of military science. Now to the mind of the layman the armies of all modern civilized nations are well disciplined and obedient. If he thinks of mutiny at all he may recall the Mutiny of the Nore or the Sepoy Mutiny, but only to look upon them as abnormal and unusual. The technical student of military history, who carries his researches into documents in which the layman is not interested and which he never sees, may discover other instances of mutiny. But in all modern countries the tradition of military perfection, from the standpoint of obedience, has been strong, and presumably nowhere stronger than in Germany, where so much of the work on the Roman army has been done. These writers, then, accepting as they do the modern tradition of unquestioning obedience on the part of the soldier, accept also the eulogistic generalizations pronounced by their predecessors as well as by the ancients.

So much for the specialists. A misconception of this kind becomes even more firmly fixed in the popular mind. Readers who

get their information at second hand from the modern manuals and histories have slight opportunity for correcting this mistaken impression. Furthermore, unquestioning obedience on the part of the soldier toward his commanding officer—"Theirs not to reason why"—is pleasing to the popular fancy and is a motif welcomed by the poets and by the authors of historical novels on Roman life. And so the legend of the unswerving obedience of the Roman soldier maintains itself in the handbooks and in the literature.

But whether the source and the tradition of this legend are such as I have sketched or not, certain it is that, contrary to the usual conception, mutiny and insubordination were surprisingly prevalent in the Roman army. The record will speak for itself. Mutiny is not confined to any particular period of Roman history, early or late. It appears at all periods, when the troops involved were few in number as well as when they reached figures seldom attained before the recent world-war; when the army was composed of burgesses as well as when it was composed of provincials and foreigners. Every type of soldier is guilty of it. Every type of commander suffers from it. Every form in which the army organization is found shows instances of it.

In the present paper the discussion will be restricted to the period extending from the foundation of the Republic to the establishment of the Principate, and the method will be to note typical instances of mutiny from the important subdivisions of that period. The study is quantitative. The causes which underlie the mutiny in each case do not fall within the scope of a quantitative study and therefore are not discussed.¹

Here follows the record of mutiny, chronologically arranged.

I. FROM THE FOUNDATION OF THE REPUBLIC TO THE UNION OF ITALY (509-265 B.C.)

The chief authorities for this period are Livy, Books ii-vii, Dionysius of Halicarnassus, *Ant. Rom.*, Books v-xi, xii-xx (in fragmentary form), and Diodorus Siculus, Books xi-xvi. One can do no more

¹ My readers need not remind me that political and social conditions and, at times, the entire absence of any moral background in the contests explain the insubordination in many instances. There is no intention on my part to slight the importance of these factors. I want simply to call attention to insubordination on its quantitative side, to suggest that there grew up a traditional spirit in the army which made freedom of thinking and acting the norm rather than the exception.

than repeat the ancient chronicle, though its sources, in turn, were the prejudiced accounts of patrician annalists. That these historians shared, or else were unable to escape, the aristocratic bias of their sources is notorious. They imputed no good to the soldiery, drawn largely from the *plebs*. All struggles for a larger share of self-government might easily appear mutiny and insubordination in the eyes of the aristocratic chroniclers. Till the date of the war with Pyrrhus one is on insecure ground even for the main outlines of the story. I wish merely to determine whether the chronicle as commonly recorded—admitting its bias; the details we cannot now recover—justifies the legend of the stern ancient discipline so often referred to by these historians.¹

Insubordination appears early, when the Roman army was still a burgher army and fought in a formation similar to the Dorian phalanx. In the year 495 B.C., while the Volscians were marching to besiege Rome, the citizens repeatedly refused to enrol for the draft announced by the consuls, Publius Servilius and Appius Claudius.² Servilius, abandoning force and resorting to persuasion, finally secured a volunteer army for action against the enemy. The promises that had been made to the burgesses, however, were not kept and so the consuls of the following year had no better success in their attempts at mustering in the citizens, although three hostile armies, Volscian, Aequian, and Sabine, were threatening Rome. Whenever the lictors seized any one of those subject to the draft, his comrades rescued him. The state was forced to appoint a dictator, Manius Valerius. He, by his popularity, succeeded in collecting a large force and inflicted a signal defeat upon the Sabines. Yet immediately after this victory the insubordinate soldiery, by accusing the dictator of prolonging the war, forced him to engage in an unwise and hazardous battle with the Aequians.³

¹ The ancient accounts of this early period cannot be reconciled. In these semi-legendary years every skirmish, every annually renewed feud is related in such a way by the chroniclers "that the most insignificant foray is scarcely distinguishable from a momentous war" (Mommsen, *History of Rome* [English translation], New York, 1900, Vol. I, p. 444).

² Livy's account, ii. 24-27. This refusal is supported by the account given in Dion. Hal. (ed. Jacoby, Leipzig, 1888-1905) vi. 23. 25. 27. In vi. 28 there is mention of the overcoming of further resistance to the draft by the popularity of Servilius. Dionysius puts the emphasis on the civil features of the strife.

³ This battle is not mentioned by Dionysius; cf. vi. 42.

When the dictator laid down his office and the consuls again became the legal commanders, the senate, fearing the soldiers, ordered the army out of the city for an attack upon the Aequians and Volscians under the command of the consuls to whom the soldiers were bound by their oath. The troops at first actually contemplated killing their commanders to obtain release from their oath; but better counsel prevailed. A secession to the Sacred Mount was decided upon. The soldiers, though an enemy was on Roman soil, chose new centurions, gave the supreme command to a certain Sicinius,¹ and marched out to the Mount. There they pitched camp, fortifying it in the usual manner with rampart and trench. The rest of the plebeians prepared to follow the mutinous soldiers. The civil features of this secession are well known. I want to call attention by these details to its significance for army discipline.²

Factional strife was again responsible for mutiny in the year 488 b.c., when Cn. Marcius Coriolanus marched with the Volscians against Rome. The soldiers threatened to betray the walls to the enemy unless the senate should send an embassy to treat for peace.³ The years 482 b.c. and 480 b.c. both afforded instances of insubordination in the presence of a foreign foe, indeed, upon the very field of battle. No punishment was attempted by the commanding generals, a leniency which Livy laments though his narrative hitherto has given little evidence of the iron discipline which is popularly associated with old Rome.⁴

Nine years later, 471 b.c., occurred a mutiny which was punished with the severity so usually assumed in generalizations, but so seldom found in a detailed examination of the ancient practice. Appius Claudius Sabinus led his troops against the Volscians, who had laid waste the lands of Rome. From the moment of his departure from the city he was unable to control his mutinous troops. They charged that the nobles had stirred up foreign war to keep the *plebs* employed and demanded that their camp be moved from Volscian

¹ Dion. Hal. vi. 45.

² Livy ii. 28–32; Dion. Hal. vi. 34–42. 49–56; Cass. Dio iv. 17. 9; Zonaras vii. 14. 6; Val. Max. viii. 9. 1.

³ Livy ii. 34, 40; Appian (ed. Mendelssohn, Leipzig, 1878–91. For convenience of reference I have used the numbering of the books as given in his *Praefatio v–vii*) ii. 5. 1.

⁴ Livy ii. 43–44.

territory. Appius desired a test of strength, but his legates and tribunes dissuaded him and he was forced to announce a withdrawal. The Volscians attacked and disastrously routed the Romans on the march. Appius, collecting the surviving remnant of his troops and reproaching them as betrayers of military discipline, flogged and put to death those who had lost their weapons or their standards and the centurions who had deserted their men. The rest of the troops he decimated: *cetera . . . multitudo sorte decumus quisque ad supplicium lecti.* Occasional instances of such severity are largely responsible for the assumption that mutiny was infrequent.¹

Throughout the period of confusion which ended with the second secession to the Sacred Mount and with the overthrow of the usurping Decemvirs no army in the field could be depended upon, no matter how popular or how capable the leader.² When Verginius, after the murder of his daughter, went to the army which was encamped on Mount Vecilius and claimed that no obedience was due to generals who did not legally hold office, the mutiny of the army was immediate. When the officers tried to quell the commotion by an assertion of authority the soldiers replied with threats against their lives. This first army marched to Rome and posted itself on the Aventine. When the second army, which was encamped among the Sabines, heard of the action of the first, it followed the same procedure. Here is a distinctly modern note. Each army elected ten tribunes and these twenty selected two out of their number to hold the chief command. Both forces at length decided to go to the Sacred Mount and the plebeians followed the army: *secuta exercitum plebs.* So runs the story as it comes from the hands of the Roman aristocrats.³

¹ Livy ii. 58-59; Dion. Hal. ix. 43-50; Polybius vi. 38; Appian ii. 7; Cass. Dio v. 20; Zonaras vii. 17. 1; vii. 17. 5-6.

² See particularly Livy's story, ii. 65.

³ Livy iii. 50-54; Dion. Hal. xi. 42-44; Diod. Sic. xii. 24. 4-25; Cass. Dio v. 23. 3; Zonaras vii. 18. 6-9. Other such incidents typical of the narrative of the semi-mythical period preceding the capture of Rome by the Gauls are related for the years 445 (Livy iii. 66. 68. 69) and 414 (Livy iv. 49-50; Zon. vii. 20. 5). In the latter year the mad aristocrat, M. Postumius Regillensis, who found favor neither with patricians nor with plebeians, was put to death by his soldiers because he withheld from them their share of the plunder. (This mutiny is not related by Diodorus in the pertinent passages xiii. 34. 38. 43.)

An important mutiny from the period of the First Samnite War is related of the year 342 b.c.¹ The Roman soldiers had performed prodigies of valor in defeating the Samnites and had shared a triumph and unusual honors with their leaders. When these same veteran troops, however, had been placed in winter quarters in Campania to ward off incursions by the Samnites, a mutiny, with the object of taking over the land and wealth of the Campanians, broke out among the soldiers stationed in Capua and soon spread to the entire army. The consul of the following year, C. Marcius Rutilus, to whom Campania fell, though he had information of the plans of the soldiers, did not dare to proceed directly against the seditious troops. Knowing the identity of the ringleaders he had recourse to a ruse to rid the army of the malcontents and to stamp out the insubordination. He discharged some individuals and cohorts, and shifted others here and there *per speciem militarium usum*. The discharged men gathered together as an army, ravaged the Alban territory, and forced the lame Titus Quinctius, who was living in retirement outside the city, to lead them against Rome. When they reached the eighth milestone they halted on hearing that a dictator, M. Valerius Corvus, had been appointed and was proceeding toward them with an army. The affection felt by the dictator for the mutinous soldiers and their respect and love for their old general prevented a clash.² An agreement was reached whereby none of the mutineers suffered either punishment or dishonor. The record of this episode is very confused. Livy does not vouch for the version of the story which he retails. There is entire agreement on only point, says he, namely, that there was a mutiny and that it was "composed" (vii. 42. 7).³

¹ Livy vii. 38. 4-42; Appian iii. 1. 1-3; Dion. Hal. xv. 3; Zon. vii. 25. 9.

² Appian iii. 1. 3 states the further fact that the dictator distrusted the loyalty of his troops if battle should be joined.

³ There is no white thread to guide one through the labyrinth of the contradictory and inconsistent chronicles of the First Samnite War. Mommsen, *op. cit.*, I, 460, speaks of the "confused and sentimental account of the military insurrection of 412 (i.e., 342 b.c.) and the story of its forced leader, the lame Titus Quinctius, the Roman Götz von Berlichingen." The year 339 b.c. furnishes the story of how Titus Manlius was put to death for disobedience of orders. The tale is often referred to to illustrate the severity of the early discipline: ἔργα μαλλιαρά became a proverbial phrase with the Greek historians of Rome. The tale may be contrasted with the numerous tales of the same period where no such severity is recorded. See Livy viii. 7-8; Cass. Dio vii. 35. 2; vii. 35. 9; Appian iii. 3. Dion. Hal. xv. 4 and Diod. Sic. xvi. 90 do not relate the incident.

The Second Samnite War gives the story of Papirius and his Master of Horse, Fabius.¹ The latter disobeyed the express order of his commander-in-chief and defeated the Samnites overwhelmingly at Inbrinium. Twenty thousand of the enemy, tradition said, fell on that day. To make his insubordination complete, the victorious Master of Horse reported directly to the senate, instead of to his commander. When Papirius, having returned to camp, summoned Fabius for punishment, Fabius appealed to the soldiers to protect him against the dictator, in other words called upon them to mutiny. In the confusion which resulted Fabius escaped to Rome. At the trial the father of Fabius cited many precedents from the past in support of the seditious action of his son, while Papirius predicted the ruin of military discipline if Fabius escaped unpunished. The supporters of Fabius at last gave up any legal defense and resorted to entreaties. The dictator thereupon pardoned the Master of Horse. Military discipline had won, said he: *vicit disciplina militaris, vicit imperii maiestas.* But the dictator's intended severity made him unpopular with his troops. He could gain no advantage over the enemy against the opposition and insubordination of his soldiers. He was finally forced to overcome their mutinous attitude by courting popularity. "He gathered his staff officers about him," Livy tells us, "and visited the wounded soldiers, thrusting his head into their tents and asking them individually how they were," etc. He played the part so successfully that with a friendly instead of a mutinous army behind him he soon forced the Samnites to sue for peace.²

When we reach the war with Pyrrhus we are on surer ground, for here we have the authority of Polybius. What the narrative loses in picturesqueness it gains in reliability. The important mutiny of the period is mentioned by Livy in the *periocha* of Book xv.³ Polybius supplies the details.⁴ When Pyrrhus was about to cross to Italy from Sicily, Regium appealed to Rome for aid. Rome threw

¹ Livy viii. 30-36; Val. Max. ii. 7. 8; Frontinus *Strat.* iv. 1. 39.

² For another instance of mutiny in the years intervening between the Second Samnite War and the war with Pyrrhus see Livy x. 35-36.

³ *Legio Campana, quae Regium occupaverat, obsessa deditione facta securi percuissa est.*

⁴ i. 7; cf. also Appian iii. 9; Cass. Dio ix. 7-12.

a garrison into Regium, four thousand strong, under the command of a Campanian named Decius Vibellius. The legionaries, attracted by the site of the town and by the wealth of its inhabitants, broke their soldiers' oath and seized the city after putting the inhabitants to the sword. Rome, as soon as she had an opportunity to turn her attention to the mutinous legion, besieged the garrison and sent the three hundred soldiers who survived the assault to the city for punishment. They were less lucky than the majority of their predecessors. The consuls brought them into the Forum and there had them scourged and beheaded.

II. THE PUNIC WARS THROUGH THE SUBJUGATION OF CARTHAGE AND THE GREEK STATES (264–134 B.C.)

The First Punic War compelled Rome to become a great sea power. One of the earliest attempts on the sea suffered seriously from the unruliness of the crews, men drawn, without doubt, from the allies. The consul, Cornelius Scipio, sailed for Sicily and while lying off the town and island of Lipara was hemmed in at night by the Carthaginian admiral, Boodes, with a superior fleet. When day dawned the Roman crews refused to stand by their commander, but made for the shore and ran away. The consul and his seventeen ships were taken.¹

In the Second Punic War, the three successive disasters of 218–217 B.C., at the Ticinus, at the Trebia, and at the Trasimene Lake are a familiar story. Even at this crisis Q. Fabius Maximus had to contend with an insubordinate army led in its murmurings by a discontented Master of Horse. In piecing together the story of this period of divided counsels from Livy, Polybius, and others, one learns that the insubordinate officer always found willing listeners in the soldiers.²

But the great mutiny of the Second Punic War was the mutiny of 206 in Spain. Mutiny was not confined to the armies of unsuccessful or of unpopular commanders, or to times of disaster and crisis. For the first Africanus,³ after unprecedented successes in

¹ Polybius i. 21.

² Pol. iii. 90–105; Livy xxii. 7–44; Zon. viii. 26. 6 ff.

³ For his earlier troubles with mutinous troops cf. Cass. Dio xvi. 42 and Zon. ix. 8. 4.

Spain, expelling the Carthaginians and reducing the country to submission, faced a mutiny which was probably the most severe in Rome's early history, the mutiny of his troops in the Roman camp at Sucro in Hispania Tarraconensis. Polybius, little given to the embellishment of minor incidents, devotes six chapters to this mutiny. "Never had Scipio," says Polybius, xi. 25. 1, "been more utterly perplexed as to how to act, although he had already had a wide experience in affairs." The accounts of Polybius, Livy, and Appian are essentially the same.¹ All three emphasize the importance of the disturbance by the space which they devote to it. Eight thousand troops, though in no want, took advantage of the reported illness of Scipio and made a pretext of their overdue pay to mutiny. When the officers refused to join the soldiers, the legionaries drove them from camp and elected two privates to act as leaders. Scipio got the mutineers and their instigators into his power by a trick. He addressed a long speech to the soldiers, in which, according to Livy's account, at any rate, the theme of the stern discipline of the ancestors is once more employed.² After Scipio had reproved the mutinous soldiers, he offered them pardon. There was no decimation of the division. But to the ringleaders he showed no mercy. They, thirty-five in number, were brought into the circle formed by the troops and there were scourged and beheaded.³

III. FROM THE TRIBUNATE OF TIBERIUS GRACCHUS TO THE FORMATION OF THE FIRST TRIUMVIRATE (133–60 B.C.)

With the conclusion of the Punic Wars the heroic age from which the Romans were accustomed to draw examples of severe discipline ended. Mommsen (II, 74) says of this age: "Lastly, the old, fearfully strict, military discipline remained unaltered. Still, as formerly, the general was at liberty to behead any man serving in his camp, and to scourge with rods the staff officer as well as the common soldier; nor were such punishments inflicted merely on account of common crimes, but also when an officer had allowed

¹ Pol. xi. 25–30; Livy xxviii. 24–29; Appian vi. 34–36; cf. also Cass. Dio xvi. 42; Zon. ix. 10. 4–8.

² xxviii. 27.

³ For insubordination in the years 169 and 142 B.C. see Cass. Dio xxii. fr. 78. 1–3; Zon. ix. 23. 1–2.

himself to deviate from the orders which he had received, or when a division had allowed itself to be surprised or had fled from the field of battle." Such statements as this in history and handbook share responsibility with the ancient eulogies for the misconception which I am discussing. The detailed record shows a small percentage of cases in which the penalty for mutiny was exacted.

For the period of the Jugurthine wars treason and desertion form no small part of the story of Sallust.¹ His picture of the Roman army in Africa beggars description (*Jug.* 44): *exercitus ei traditur a Sp. Albino pro consule, iners, imbellis, neque periculi neque laboris patiens, lingua quam manu promptior, praedator ex sociis et ipse praeda hostium, sine imperio et modestia habitus.* We hear of one of Jugurtha's garrisons composed entirely of Roman deserters.

The record for the years extending from the Jugurthine wars to the formation of the First Triumvirate is gathered from various sources. In the year 90 B.C. there was a mutiny among the Numidian auxiliaries of Rome.² Of the year 89 B.C. the escape of the consul, L. Porcius Cato, from stoning at the hands of his mutinous troops is related as rather a humorous incident to enliven the story. He charged his troops with indolence and insubordination, whereupon they looked around for stones to stone him. And that would have been the end of him if they had had stones to hurl. But the place upon which they were assembled was farm land, softened from long-continued rains. So Cato's only discomfiture was a mud bath. The ringleader in the mutiny was sent to Rome, but escaped punishment.³ In the year 88 B.C. Quintus Pompeius, one of the consuls, was slain in a mutiny of his troops.⁴ In the same year the officers of Sulla when ordered by him to march on Rome refused to obey his commands.⁵ In the year 87 B.C. a body of Cinna's troops, freedmen whom he had enrolled in his army, proved insubordinate. "He threw his Gallic contingent around them at night while they were encamped and killed them all."⁶ In the year 85 B.C. L. Valerius Flaccus lost his life at the hands of a mutinous subordinate.⁷

¹ *Jug.*, chaps. 29, 32, 38, 39, 44, 45.

⁵ Appian xiii. 57.

² Appian xiii. 42.

⁶ Appian xiii. 74.

³ Cass. Dio fr. 100.

⁷ Appian xii. 51.

⁴ Vel. Pat. ii. 20.

In the year 84 b.c. Cinna was slain in a mutiny of his soldiers.¹ In the same year C. Fimbria, unable to cope with his unruly troops, committed suicide.² Similarly we read of the year 82 b.c. that Carbo, finding that he could not control his mutinous Celtiberian horse, after two hundred seventy of them had deserted, put the others to death.³ In the same year the defeat of Marcius is followed by an angry mutiny among his troops.⁴ In the year 74 b.c. there was a mutiny in the army of Sertorius, the most skilled in the art of war and the most successful general of that period.⁵ In the year 67 b.c. oft-repeated mutiny in the army of Lucullus prevented him from winning a complete victory over Mithridates and Tigranes.⁶ From the reference in Cicero's speech before the people, *Pro Lege Manilia* 9. 23–24, it would seem that this mutiny was a matter of common knowledge.

IV. FROM THE FIRST TRIUMVIRATE TO THE ESTABLISHMENT OF THE PRINCIPATE (59–30 B.C.)

The civil wars which followed the close of the struggle with Mithridates decreased the risk of punishment for disobedience and increased the frequency of mutiny. The spirit of independent action which was always latent more easily broke the weakened bonds of authority. Some of the disturbances on either side were the result of conscientious scruples on the part of the soldiers, an unwillingness to take up arms against what they considered the legal government, but in the majority of the cases no moral consideration prompted the insubordination. Caesar's narrative of the early part of this period, if not the most impartial, is the most important. He tells of mutiny among the troops of the following Pompeians: Thermus at Iguvium,⁷ Varus at Auximum,⁸ Spinther at Asculum,⁹ Lucretius and Attius at Sulmo,¹⁰ Domitius at

¹ Appian xiii. 78; Vel. Pat. ii. 24.

⁶ Appian xii. 90.

² Livy *periocha* 83; Appian xii. 59–60.

⁷ *Bel. Civ.* i. 12.

³ Appian xiii. 89.

⁸ *Ibid.* i. 13.

⁴ Appian xiii. 90.

⁹ *Ibid.* i. 15.

⁵ Appian xiii. 111–12.

¹⁰ *Ibid.* i. 18.

Corfinium,¹ Petreius and Afranius in the operations carried on in Spain,² also Marcus Varro and Gaius Gallonius;³ in the operations of the following year, 48 B.C., on the eastern side of the Adriatic, Pompey at Oricum, Apollonia, and Dyrrachium,⁴ and Scipio in Syria.⁵

Caesar's army was perhaps the finest military instrument that history records and fully deserved all the praise that has been lavished upon it. Yet even this army was not free from mutiny. Caesar, though he does relate some of the devices by which he maintained his hold upon his troops, naturally tells little of any active mutiny.⁶ We get that from other sources largely. Cassius Dio, for example, gives a little less favorable picture of the familiar difficulty which Caesar had with his troops in the war with Ario-vistus,⁷ and we hear of insubordination on other occasions.⁸ That such insubordination must have occurred more than once is the necessary deduction from the description of Suetonius,⁹ that Caesar was *desertorum ac seditiosorum et inquisitor et punitor acerrimus*. This severity was shown at Placentia in 49 B.C. (an episode frequently referred to¹⁰) where Caesar had twelve soldiers of the ninth legion executed for insubordination. He had threatened decimation, but finally yielded to the entreaties of his troops. In respect to the mutiny of two years later, the well-known mutiny of the favorite tenth legion, Appian, xiv. 92–94, declares that all were pardoned; Suetonius, *Div. Jul.* 70, mentions the punishment of the most insubordinate by the loss of a third of their plunder and land.¹¹

¹ *Bel. Civ.* i. 20. In fairness to Domitius it may be noted that Appian xiv. 38 tells of no mutiny; but Lucan, whose poem is one long tale of perfidious and rebellious troops, characteristically declares that Domitius' own soldiers opened the gates (ii, 506–7).

² *Ibid.* i. 74–75. 87.

³ *Ibid.* ii. 18–20.

⁴ *Ibid.* iii. 11–13. 60–61.

⁵ *Ibid.* iii. 33.

⁶ See, however, *Bel. Civ.* i. 72.

⁷ xxxviii. 35–36.

⁸ E.g., *Vel. Pat.* ii. 55; Appian xiv. 151.

⁹ *Div. Jul.* 67.

¹⁰ Suet. *Div. Jul.* 69; Cass. Dio xli. 26 ff.; Appian xiv. 47; Lucan v. 237 ff.

¹¹ Cf. also Cass. Dio xlvi. 52 ff.; Plutarch *Caes.* 51; Frontinus *Strat.* i. 94; iv. 5. 2.

Antony,¹ Octavian,² Brutus,³ Cassius,⁴ Dolabella,⁵ Decimus Brutus,⁶ Sextus Pompeius,⁷ Lucius Antonius,⁸ Domitius,⁹ Lepidus,¹⁰ the great names of the next decade and a half, and the great campaigns, Philippi,¹¹ Perusia,¹² and Actium,¹³ have all a place in the record of mutiny and insubordination.

To sum up—the chronicles of the Republic give many instances of technical mutiny and of other actions bordering closely on mutiny. As shown by the record above, desertion is common at all periods.¹⁴ We not only have direct reference to desertion, but the demand for the return of deserters is often met with in negotiations for peace.¹⁵ Resistance to the draft has been shown to be not entirely modern. In the authors considered there is roughly a score of passages dealing with this ancient difficulty. The *periocha* of the 55th book of Livy's history, under the year 138 B.C., relates how a slacker, one C. Matienius, was placed beneath the yoke, flogged, and then sold into slavery before the eyes of the young conscripts, as a salutary warning and example for them not to attempt to avoid their military duties. Polybius, xxxv. 4, speaking of the unpopular Spanish campaign of 151 B.C., declares that the draft met its usual fate: "The young men tried to avoid the levy by concocting excuses such as

¹ Cass. Dio xlvi. 22. 5; *ibid.* 29. 3; xlvi. 21. 6-7; li. 5; Appian xv. 53-56. 62; cf. also *ibid.* 74; *ibid.* 86.

² Cass. Dio xlvi. 26. 5; *ibid.* 37. 1-3; *ibid.* 52. 4; lviii. 9; li. 2-4; *ibid.* 5; Appian xv. 77; xvii. 12-18; *ibid.* 128-29; Suet. *Div. Aug.* 14. 24 (punishment, with decimation); Vel. Pat. ii. 81. 1.

³ Cass. Dio xlvi. 22. 4; *ibid.* 23. 1 (mutineers punished).

⁴ Appian lvi. 64; *ibid.* 89; *ibid.* 104; Cass. Dio xlvi. 35. 6.

⁵ *Ibid.* 21. 3.

⁶ Vel. Pat. ii. 64.

⁷ Appian xvii. 111 and 142.

⁸ *Ibid.* 30 and 38.

⁹ Vel. Pat. ii. 78 (this insubordination was severely punished).

¹⁰ Appian xvii. 123.

¹¹ Appian xvi. 123-31.

¹² Appian 38; Vel. Pat. ii. 75.

¹³ Vel. Pat. ii. 84; 85.

¹⁴ Pol. xxix. 15; Sall. *Jug.* 76; Caes. *Bel. Civ.* i. 12. 13. 15-16. 18. 60; ii. 18-20. 27-35; iii. 13. 60; Appian vi. 31; ix. 3; xii. 72. 110; xiii. 85. 87. 88. 89. 91; xiv. 80, *et passim*.

¹⁵ Pol. xxi. 30. 3; xlvi. 10; Appian xi. 38; xii. 55. 98.

were disgraceful for them even to utter and unseemly to investigate, while impossible to refute." The story which Suetonius, *Div. Aug.* 24, tells of how a Roman knight cut off the thumbs of his sons so that they might be ineligible for the draft is only an aggravated instance of the numerous attempts to escape military service.¹ The *cohortatio* (I do not, of course, refer to the artistic speeches of the literature), the general's speech to his troops before action, may be noted in this connection. It was calculated not only to encourage but also to persuade.

If then one re-reads the record of the Empire, and especially such a work as the *Histories* of Tacitus, with this picture of the Roman soldier of the Republic in mind, one has at his control an additional factor which will help to explain the confusion and the insubordination of the year 69–70 A.D. For the examination shows that the Roman legionary at all periods of the Republic, when the army was large as well as when the army was small and the fighting personal, when the army was of native Italian stock as well as when it was composed of many tribes and nationalities, arrogated to himself an amount of independent thought and action which was quite on a par with that claimed by the Greek soldier and far beyond that with which the Roman soldier is credited in the widely current view. If this liberty too often became license, that fact only throws into higher relief the basic efficiency of Roman military science.

Roman arms were successful in spite of this long record of mutiny and insubordination because of a preponderant balance of good qualities in the Roman military system and in the private soldier himself. The Romans were the only people of antiquity who seriously and studiously made the science of war their main business over a period covering centuries. Their resulting superiority on the mechanical side of war making—witness the adoption of Roman arms and equipment by Pyrrhus and Hannibal in the midst of the enemy's country—and their willingness to adopt new methods in tactics and strategy and organization receive enthusiastic recognition by all writers from Polybius on. Though their leadership

¹ For other generalizations on the attempt to avoid the draft cf. Appian vi. 49; Vel. Pat. ii. 130.

in time of war was not brilliant, Hannibalic, Napoleonic, nevertheless it maintained throughout the ages a golden mediocrity which has never been surpassed. Incompetence was not tolerated: when a general proved himself incapable of his task he was ruthlessly shelved. Strategic roads for quick mobilization and attack, scientific camp building and camp fortification, which gave the army a stronghold in the midst of the hostile country, the utilization of their great engineering skill for all the other needs of war, made the Romans superior to their neighbors who did not to the same degree, or with the same intelligence, make a business of war. When we come to speak of the private soldier, we cannot too highly appraise the brilliance and dash, the endurance and pluck of the Roman legionary. W. B. Henderson,¹ in describing a forced march made by the Army of Germany which had been betrayed by its leader Caecina, says:

Never did troops better merit the praise that belongs to the Roman soldier than do these betrayed and leaderless men of the Vitellian army. Placed in so disheartening and in so critical a position, the modern European soldier might but too easily lose heart entirely, or lack the initiative and the foresight which the Romans at this time displayed. There have been few troops in the world to equal those of Rome.

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¹ *Op. cit.*, p. 191.